

REMARKS/ARGUMENTS

This case has been carefully reviewed and analyzed in view of the Official Action dated 12 October 2004. Responsive to the rejections made in the Official Action, Claims 1 and 2 have been amended to clarify the description of the invention of the subject Patent Application, for purposes of clarity. It is believed that the originally claimed structure distinguishes the invention of the subject Patent Application over the cited prior art.

In the Official Action, the Examiner objected to Claim 1 due to an informality therein and rejected Claims 1 and 2 under 35 U.S.C. § 103, as being unpatentable over the prior art cited by Applicant in view of Weigum, U.S. Patent 5,462,547. The Examiner has stated that the prior art cited by Applicant essentially discloses the claimed invention with the exception of the spiral spring having two bending edges at respective sides to form an angle with respect to the spiral spring. However, the Examiner refers to the Weigum reference as disclosing that edges of a plate can be bent into an arc shape to strengthen the plate. The Examiner concludes that it would have been obvious to one of ordinary skill in the art at the time of the present invention to have bent the edges of the plate-like shaft of the spiral spring taught by the prior art cited by Applicant, into an arc shape as taught by Weigum, for the purpose of strengthening the shaft.

The Examiner's reference to the bending of the shaft is not understood, as the Claim, as originally filed refers to providing the spiral spring with two bending

edges at respective sides to form an angle with respect to the spiral spring. Thus, in order to make sure that the invention of the subject Patent Application is clear to the Examiner, a quick review of the structure of the invention of the subject Patent Application, as now claimed, is believed to be beneficial. The invention of the subject Patent Application is directed to a spiral spring for a liquid crystal display stand. The structure includes a sliding base having a slot with a pair of rails therein, and a sliding block to be slid within the sliding base along the rails. A top end of the sliding block is adapted for a liquid crystal display monitor to be seated and secured thereon. The structure includes a longitudinally extended spiral spring secured onto the sliding base. One longitudinal end of the spiral spring is rolled on a shaft to provide a longitudinally directed bias force to another longitudinal end of the spiral spring secured to a bottom end of the sliding block. The spiral spring has two bending edges at respective lateral sides thereof to form an angle with respect to a longitudinally extended intermediate portion of the spiral spring. The structure defined in Claim 2 also provides two bending edges at respective lateral sides, with the bending edges of the spiral spring being in an arc shape.

It is respectfully submitted that the bending edges of the spiral spring of the invention of the subject Patent Application distinguishes it from the admitted prior art. The bending edges that are formed on the lateral sides of the spiral spring provides an improved resistance to fatigue failure of the spiral spring.

The Weigum reference is directed to a stabilization device for fixation of broken bones and provides no motivation for combination of the structure thereof with the admitted prior art. As such, it can be only through the improper use of “hindsight” that the Examiner seeks to combine the structure disclosed in Weigum with the admitted prior art, utilizing Applicant’s own disclosure as a “blueprint” for such combination. The stabilization plate 20 of Weigum is a longitudinally extended plate having an outer track-like shaft part 22 with a plurality of openings 21 through which screws 30 secure the plate 20 to a strap 10 and the underlying bone 4. The shaft part 22 extends longitudinally and has a laterally directed arcuate contour with edges 23 and 24 bent at an angle to provide a longitudinally stiff structure, sufficiently stiff to allow the plate 20 to be manufactured out of “fairly thin material”, column 5, lines 22-24.

It is well known in the metal forming art that the bending of a lateral edge of a plate provides longitudinal stiffness to that plate, i.e. angle iron and C-channels. Therefore, it would be counter-intuitive for one skilled in the art to bend lateral edges of a spiral spring which must be repeatedly longitudinally wound about a shaft and unwound therefrom. Thus, the conventional art teaches away from the invention of the subject Patent Application. Nowhere does the Weigum reference disclose or suggest providing bent edges on lateral sides of a spiral spring which provides a longitudinally directed bias force. To the contrary, the reference teaches only providing bent edges to a stiffening plate which is affixed

to a longitudinally extended structure by a plurality of longitudinally spaced fasteners. The only spring force involved in the plate of Weigum, is to provide a bias force against the fasteners to clamp the attachment leg 12 of the sleeve strap 10, column 4, lines 27-31. Weigum's bent edges provide resistance to longitudinal bending of a plate, and would not be applied by one skilled in the art, at the time of Applicant's invention, to a spring that is longitudinally wound and unwound.

Clearly, the Weigum reference provides no motivation for one skilled in the art to modify the spring of the prior art structure disclosed in the subject Patent Application.

For all of the foregoing reasons, it is now believed that the subject Patent Application has been placed in condition for allowance, and such action is respectfully requested.

Respectfully submitted,
For: ROSENBERG, KLEIN & LEE

A handwritten signature in black ink, appearing to read "David I. Klein". The signature is fluid and cursive, with a large initial "D" and "K".

David I. Klein
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